

# MICHIGAN SUPREME COURT



## *Office of Public Information*

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### **PROPOSAL ALLOWING COURT CLERKS TO SCREEN CASE FILINGS ON SUPREME COURT PUBLIC CONFERENCE AGENDA; COURT ALSO TO CONSIDER ALLOWING LAW STUDENTS, RECENT LAW GRADS TO ARGUE BEFORE COURT OF APPEALS**

LANSING, MI, October 19, 2010 – A group of proposed rule changes that would allow a court clerk to reject and return court filings that the clerk deems to be deficient is on the agenda of the Michigan Supreme Court's October 20 public administrative conference.

The proposal ([ADM File No. 2005-32](#)) would allow a court clerk to screen documents filed with the court in civil cases to see if they comply with the Michigan Court Rules and other "minimum filing requirements," such as having an accurate case caption, which identifies the parties. The proposed changes call for the clerk "to promptly notify parties ... of any actions that must be taken by the parties to correct the errors." The party whose filings are returned would have several options, including asking a judge to review the filing in some circumstances. There would be no additional charge for the judge's review.

The [public administrative conference](#) will take place in the courtroom on the 6<sup>th</sup> floor of the Michigan Hall of Justice at 925 West Ottawa Street in Lansing, beginning at 9:30 a.m.

The Court's agenda includes a proposal that would allow law students, and recent law school graduates who have not yet been admitted to the practice of law, to argue some cases before the Michigan Court of Appeals.

The proposal ([ADM File No. 2009-25](#)) would allow a law student or recent law school graduate to participate in Court of Appeals oral arguments if he or she is a member of a legal aid clinic that serves indigent people. The student or graduate could only argue the case with the permission of a majority of the Court of Appeals panel that is hearing the case. The rule change, which originated with the University of Michigan Law School, would expand current rules allowing legal aid clinic students and recent law graduates to appear before trial courts.

Also on the Court's public conference agenda:

- ADM File No. 2010-01. Appointment of chief judge of Oakland County Probate Court.
- ADM File No. 2010-01. Appointments to the Attorney Grievance Commission. The AGC investigates and prosecutes attorney misconduct charges.
- ADM File No. 2004-08. Whether the Court should publish proposed amendments to [Michigan Court Rule 8.126](#), which governs temporary legal practice in Michigan for out-of-state lawyers. The suggested amendments would require an out-of-state attorney to pay a fee

for each pro hac vice admission application. In addition, the amendments would require the court that grants the attorney's temporary admission to notify the AGC.

- ADM File No. 2005-11. Whether the Court should publish for comment amendments that would clarify when a judge could participate in fundraising.
- ADM File No. 2007-14. Whether the Court should publish for comment a proposed amendment of [MCR 2.118](#), which governs amended and supplemental court pleadings. The proposed amendment would revise the rule to allow substitution of parties.
- ADM File No. 2007-17. A proposed amendment of [MCR 8.121\(A\)](#), to clarify that first-party no-fault actions taken by plaintiffs' attorney on a contingent-fee basis should be subject to the one-third maximum allowable fee.
- ADM File No. 2009-06. Proposed [amendments](#) of various Michigan Rules of Professional Conduct, which govern attorney ethics. The Court will consider changes recommended by Justice Robert P. Young, Jr.

Public administrative conferences agendas may be viewed online at <http://www.courts.michigan.gov/supremecourt/Resources/Administrative/AdminConf.htm>.

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